

AMENDED IN SENATE JUNE 25, 2007

AMENDED IN ASSEMBLY APRIL 9, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 514

Introduced by Assembly Member Lieber

February 20, 2007

An act to add Section ~~144.8~~ 6404.7 to the Labor Code, relating to occupational health.

LEGISLATIVE COUNSEL'S DIGEST

AB 514, as amended, Lieber. Workplace safety and health: diacetyl. Under existing law, ~~the Occupational Safety and Health Standards Board may adopt standards concerning removing hazardous substances from the workplace~~ *employers are required to provide a safe and healthful place of employment.*

~~This bill would require the board, no later than January 30, 2008, to adopt a standard to prohibit the use of diacetyl in the workplace by January 1, 2010 provide that on and after January 1, 2009, no employer or employee shall use diacetyl in anyway.~~ This prohibition would not apply to naturally occurring diacetyl in food or beverages or certain processes.

This bill would create a state-mandated local cost because it would create a new crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section ~~144.8~~ 6404.7 is added to the Labor Code,
2 to read:

3 ~~144.8.~~

4 6404.7. (a) Except as provided in subdivision (b), ~~the board~~
5 ~~shall, no later than January 30, 2008, adopt a standard, to be~~
6 ~~developed by the Division of Occupational Safety and Health, to~~
7 ~~prohibit the use of diacetyl (2,3-butanedione) in the workplace by~~
8 ~~January 1, 2010. on and after January 1, 2009, no employer or~~
9 ~~employee shall engage in manufacturing, packaging, mixing, or~~
10 ~~blending of diacetyl (2,3-butanedione, chemical abstract service~~
11 ~~number 431-0308), or products that contain diacetyl, in any~~
12 ~~amount or concentration.~~

13 (b) Subdivision (a) shall not apply to naturally occurring diacetyl
14 in food or beverages or to processes that result in the natural
15 production of diacetyl.

16 SEC. 2. *No reimbursement is required by this act pursuant to*
17 *Section 6 of Article XIII B of the California Constitution because*
18 *the only costs that may be incurred by a local agency or school*
19 *district will be incurred because this act creates a new crime or*
20 *infraction, eliminates a crime or infraction, or changes the penalty*
21 *for a crime or infraction, within the meaning of Section 17556 of*
22 *the Government Code, or changes the definition of a crime within*
23 *the meaning of Section 6 of Article XIII B of the California*
24 *Constitution.*